

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES VAUGHN,

Case No.: 2:15-cv-02137-APG-PAL

Plaintiff

Order Accepting Report and Recommendation and Dismissing Case

V.

WARDEN JENNIFER NASH, et al.,

Defendants

[ECF No. 22]

On October 29, 2018, Magistrate Judge Leen recommended that plaintiff James
n's amended complaint be dismissed because the case has been pending for three years but
n has been unable to accomplish service and because Vaughn's amended complaint does
te a plausible equal protection claim. ECF No. 22. Vaughn did not file an objection.
I am not obligated to conduct a de novo review of the report and recommendation. 28
§ 636(b)(1) (requiring district courts to "make a de novo determination of those portions
report or specified proposed findings to which objection is made"); *United States v.
Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the
rate judge's findings and recommendations de novo *if objection is made*, but not
ise" (emphasis in original)).

18 IT IS THEREFORE ORDERED that Magistrate Judge Leen's report and
19 recommendation (**ECF No. 22**) is accepted. Plaintiff James Vaughn's amended complaint (ECF
20 No. 17) is DISMISSED without prejudice. The clerk of court is instructed to close this case.

DATED this 19th day of November, 2018.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE